

REMARKS

Reconsideration is requested.

Claims 6, 7, 9, 11-14, 16, 17 and 22-26 are pending. Claims 22 and 23 have been withdrawn from consideration. Claims 6, 11 and 12 have been allowed. See page 1 of the Office Action dated April 30, 2008. The Examiner's indication that claims 7 and 9 would be allowable if rewritten or amended to overcome the rejection under Section 112, second paragraph, is acknowledged with appreciation. See page 10 of the Office Action dated April 30, 2008.

Claims 7, 13, 14, 16, 17 and 24-26 have been additionally canceled above, without prejudice, to advance prosecution. Specifically, entry of the present Amendment will obviate or make moot the following rejections :

The Section 112, second paragraph, rejection of claims 7, 9, 13, 14, 16, 17 and 26;

The Section 112, first paragraph "written description", rejection of claims 13, 14, 16 and 17;

The Section 112, first paragraph "enablement", rejection of claims 13, 14, 16, 17 and 24-26;

The Section 102 rejection of claims 16 and 26 over Isogai (EP 1308459);

The Section 102 rejection of claims 16 and 26 over Isogai (U.S. Patent No. 6,943,241);

The Section 102 rejection of claims 16 and 26 over Mao (WO 01/72832);

NARIMATSU et al
Appl. No. 10/524,505
Atty. Ref.: 159-86
Amendment After Final Rejection
September 12, 2008

The Section 102 rejection of claims 14, 16 and 26 over GenBank Accession No. AK097681;

The Section 102 rejection of claims 14, 16, 17 and 26 over Rees (WO 01/53524);

The Section 102 rejection of claims 14, 16 and 26 over Isogai (U.S. Patent No. 7,193,069); and

The Section 103 rejection of claim 13 over Isogai (EP 1308459), Isogai (U.S. Patent No. 6,943,241), Mao (WO 01/72832), Rees (WO 01/53524) or Isogai (U.S. Patent No. 7,193,069).

Claims 6, 9, 11, 12, 22 and 23 will be pending upon entry of the present Amendment.

Entry of the present Amendment is requested to place the present application in condition for allowance. Rejoinder and allowance of claims 22 and 23 with the remaining claims are requested.

The Examiner is requested to contact the undersigned, preferably by telephone, in the event anything further is required to place the application in condition for allowance.

NARIMATSU et al
Appl. No. 10/524,505
Atty. Ref.: 159-86
Amendment After Final Rejection
September 12, 2008

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: /B. J. Sadoff/
 B. J. Sadoff
 Reg. No. 36,663

BJS:
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100